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7
8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 BAY AREA PAINTERS AND TAPERS
PENSION TRUST FUND, et al.,

11 Plaintiffs,

12 v.

13 RIVER VIEW CONSTRUCTION INC., a
14 California Corporation, and GREGORY
GORESHNIK, an individual,

15 Defendants.
16

Case No.: C11-0779 CW

**PLAINTIFFS' REQUEST TO CONTINUE
CASE MANAGEMENT CONFERENCE;
and ~~PROPOSED~~ ORDER THEREON;**

**and CASE MANAGEMENT
CONFERENCE STATEMENT**

Date: August 30, 2011

Time: 2:00 p.m.

Ctrm: 2, 4th Floor

Judge: The Honorable Claudia Wilken

17
18 Plaintiffs herein respectfully submit their Case Management Conference statement and
19 request that the Case Management Conference, currently on calendar for August 30, 2011, be
20 continued for approximately 45-60 days.

21 1. As the Court's records will reflect, this action was filed on February 22, 2011 to
22 compel Defendants' compliance with their Collective Bargaining Agreement. Service on
23 Defendants was effectuated on February 25, 2011. A Proof of Service of Summons was filed with
24 the Court on March 3, 2011. Defendants have failed to Answer or otherwise appear in this action
25 to date.

26 2. The Court continued the previous Case Management Conference set for May 31,
27 2011 in order to allow time for Defendants to pay the remainder of contributions owed to
28 Plaintiffs, and for Plaintiffs to complete their calculations of the additional amounts owed for

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REQUEST TO CONTINUE CMC; ~~PROPOSED~~ ORDER; CMC STATEMENT

Case No.: C11-0779 CW

1 liquidated damages and interest.

2 3. Since that time, Plaintiffs' counsel provided Defendants with a full accounting of
3 the remaining amounts owed, including liquidated damages, interest, and attorneys' fees and costs,
4 and Defendants have advised that said amounts will be paid in full.

5 4. Upon receipt of Defendants' final payment, and following verification of bank
6 clearance of same, Plaintiffs will dismiss this action. In the alternative, should Defendants fail to
7 deliver their final payment to this office within 30 days (on or before September 23, 2011)
8 Plaintiffs will promptly prepare and file a Motion for Default Judgment with the Court.

9 5. There are still no issues that need to be addressed by the parties at the currently
10 scheduled Case Management Conference. In the interest of conserving costs as well as the Court's
11 time and resources, Plaintiffs respectfully request that the Court continue the currently scheduled
12 Case Management Conference for 45-60 days.

13 I declare under penalty of perjury that I am the attorney for the Plaintiffs in the above
14 entitled action, and that the foregoing is true of my own knowledge.

15 Executed this 23rd day of August 2011, at San Francisco, California.

16 SALTZMAN & JOHNSON
17 LAW CORPORATION

18 By: _____/S/
19 Blake E. Williams
20 Attorneys for Plaintiffs

21 IT IS SO ORDERED.

22 The currently set Case Management Conference is hereby continued to
23 October 18, 2011 at 2:00 p.m.. All related deadlines are continued
24 accordingly.

25 Date: 8/23/2011

26 
27 THE HONORABLE CLAUDIA WILKEN
28 UNITED STATES DISTRICT COURT JUDGE